

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of

Applicant : Cynthia Roberts et al
Serial No. : 10/531,345
Filed : April 15, 2005
Title : CUSTOMIZED TRANSITION ZONE SYSTEM AND METHOD FOR AN
ABLATION PATTERN
Docket : OSU0010PA/41096.25
Examiner : Farah, Ahmed M
Art Unit : 3769
Confirm. No. : 8235

EFS Web Electronic Submission
June 25, 2009

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Response to Election/Restrictions Requirement

This paper is being filed in response to the Election/Restrictions Requirement of June 1, 2009. In the Office Action, pursuant to 35 U.S.C. §121, the Examiner required restriction to one of the following inventions:

- Group I: claims 1-7 and 12-20, drawn to methods for treating/determining refractive disorders of an eye; and
- Group II: claims 8-11, drawn to a system for measuring corneal data such as topographic data, elevation data, corneal thickness, etc.

The Examiner has further issued, pursuant to 35 U.S.C. §121, an election of species requirement if Group I is elected in that the application contains claims directed to the following patentably distinct species: A (claims 1-7, see paragraph [0013]) and B (claims 12-20, see paragraph [0015]). According to the Examiner no claim is generic.

In response to the Election/Restrictions Requirement, Applicants hereby elect without traverse Group I and Species B. Claims 1-7 and 12-20 read on the elected invention, and claims 12-20 read on the elected species.

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Applicants respectfully submit that the application is in condition for allowance. The Examiner is encouraged to contact the undersigned to resolve efficiently any formal matters or to discuss any aspects of the application or of this response. Otherwise, early notification of allowable subject matter is respectfully solicited.

Respectfully submitted,
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